



MMB Docket No: 1671-0287
J&J Reference: DEP-5211

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought in the application entitled

MINIMALLY INVASIVE BONE MILLER APPARATUS, the specification of which

(check one)

X

is attached hereto.

was filed on _____ as

United States Application Serial No. _____ or

PCT International Application No. _____

and was amended on _____.

(if applicable)

I hereby declare that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to herein.

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Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
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I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

Application Number

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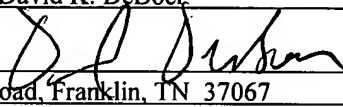
(Application Serial No.)	(Filing Date)	(Status)(Patented, Pending, Abandoned)
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And I hereby appoint Paul J. Maginot, Registration No. 34,984, Harold C. Moore, Registration No. 37,892, Bruce J. Bowman, Registration No. 35,458, David M. Lockman, Registration No. 34,214, Michael D. Beck, Registration No. 32,722, and David B. Quick, Registration No. 31,993 as attorneys of record with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please direct all communications regarding the application to:

Paul J. Maginot, Esq.
Maginot, Moore & Beck
111 Monument Circle, Suite 3000
Bank One Center/Tower
Indianapolis, Indiana 46204-5115
Telephone (317) 638-2922
Facsimile (317) 638-2139

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Inventor's signature  Date: 12-31-03
Residence 911 Tyne Boulevard, Nashville, TN 37220
Citizenship United States of America
Post Office Address same as above

Full name of Second inventor David K. DeBoer
Inventor's signature  Date: 12-31-03
Residence 4080 Clovercroft Road, Franklin, TN 37067
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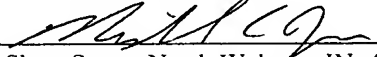
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Inventor's signature Steven Wayne Smith Date: 2/14/04
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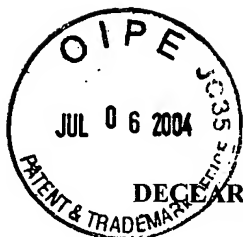
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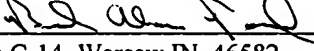
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Citizenship United States of America
Post Office Address same as above

Full name of Second inventor Derek A. Shrack

Inventor's signature Derek A. Shrack Date: 1-6-04
Residence 6262 Edgewood Ct., Leesburg IN 46538
Citizenship United States of America
Post Office Address same as above

Full name of Third inventor James Ray Rogers

Inventor's signature James Ray Rogers Date: Jan 6-04
Residence 1911 Park Avenue, Winona Lake, IN 46590
Citizenship United States of America
Post Office Address same as above